

COURT OF APPEALS FOR THE NINTH DISTRICT OF TEXAS AT BEAUMONT

Woodforest National Bank v. Relianse Group, LLC, Haresh Surti,
and Anthony Iannarelli

No. 09-26-00017-CV · No. No. 09-26-00017-CV · Decided April 30, 2026

SUMMARY

The Ninth District Court of Appeals dismissed Woodforest National Bank’s appeal for want of prosecution. The court found that the appellant failed to pay the appellate filing fee, failed to pay or arrange payment for preparation of the clerk’s record, and did not respond to notices regarding those deficiencies.

CASE DETAILS

COURT	Court of Appeals for the Ninth District of Texas at Beaumont
WRITING FOR THE COURT	Golemon, C.J.; Wright, J.; Chambers, J.
JURISDICTION	Court of Appeals for the Ninth District of Texas at Beaumont
DECIDED	April 30, 2026
DOCKET	No. 09-26-00017-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed from a final judgment but failed to pay the appellate filing fee and failed to pay or arrange payment for preparation of the clerk's record.
PRECEDENTIAL VALUE	published
PARTIES	Woodforest National Bank v. Relianse Group, LLC, Haresh Surti, Anthony Iannarelli

TOPICS

- appellate procedure
- costs
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed when the appellant failed to pay the appellate filing fee.

2. Whether the appeal should be dismissed for want of prosecution when the appellant failed to pay or arrange payment for preparation of the clerk's record and failed to respond to the court's warnings.

HOLDINGS

1. An appeal may be dismissed when the appellant fails to pay the appellate filing fee after receiving notice and an opportunity to cure the failure.
2. An appeal may be dismissed for want of prosecution when the appellant fails to pay or arrange payment for preparation of the clerk's record, fails to establish indigence, and does not respond to the court's notice and warning.

KEY QUOTATIONS

“Appellant has not paid the filing fee for the appeal, nor has Appellant explained why it has not paid the fee for the clerk’s record; therefore, we dismiss the appeal for want of prosecution.” (at 2)

FACTUAL BACKGROUND

The appeal was from a final judgment signed on October 16, 2025. After Woodforest filed its notice of appeal, it failed to pay the appellate filing fee despite an invoice and certified bill of costs. It also failed to pay or arrange payment for preparation of the clerk's record, failed to establish indigent status, and did not respond to the court's warnings.

PROCEDURAL HISTORY

Woodforest National Bank filed a notice of appeal from a final judgment signed by the 457th District Court of Montgomery County on October 16, 2025. The appellate court warned Woodforest that the appeal would be dismissed if it failed to pay the appellate filing fee and warned that the appeal would be dismissed for want of prosecution if it failed to make arrangements for the clerk's record. Woodforest did not pay the fees, establish indigence, explain its failure, or respond to the court's warnings, so the court dismissed the appeal.

DISPOSITION

dismissed

OPINION

Woodforest National Bank v. Relianse Group, LLC, Haresh Surti, and Anthony Iannarelli
PER CURIAM.

In The Court of Appeals Ninth District of Texas at Beaumont _____
NO. 09-26-00017-CV

_____ WOODFOREST NATIONAL BANK, Appellant V.
RELIANSE GROUP, LLC, HARESH SURTI, AND ANTHONY
IANNARELLI,

Appellees
On Appeal

MEMORANDUM OPINION

On January 9, 2026, Woodforest National Bank filed a notice of appeal from a final judgment signed on October 16, 2025. Upon receiving the notice of appeal from Appellant, the Clerk of the Court issued an invoice for the filing fee for the appeal. By letter dated February 12, 2026, we notified the parties that Appellant had not paid the filing fee as directed in our letter and invoice previously forwarded to Appellant. A Certified Bill of Costs for the filing fee was enclosed and provided to 1 Appellant. We warned Appellant in our letter dated February 12, 2026, that unless the filing fee was paid, the appeal would be dismissed without further notice on any date after Monday, February 23, 2026. See Tex. R. App. P. 42.3(c). As of this date, Appellant has failed to pay the filing fee as directed by this Court. On February 17, 2026, the District Clerk notified the Court that Appellant had failed to pay or to make the arrangements necessary for the District Clerk to prepare the clerk's record. We notified the parties that Appellant had not established indigent status, and that the clerk's record had not been filed due to Appellant's failure to pay or to arrange to pay the fee required to prepare the clerk's record. We warned Appellant that the appeal would be dismissed for want of prosecution unless Appellant established that it had made the arrangements required to pay the fee or that it needed more time to do so. See *id.* 37.3(b). After the Clerk of this Court sent the parties a letter warning of the consequences of a failure to take the action necessary to file the clerk's record, the Court did not receive a response. Appellant has not paid the filing fee for the appeal, nor has Appellant explained why it has not paid the fee for the clerk's record; therefore, we dismiss the appeal for want of prosecution. *Id.* 5, 42.3(c), 43.2(f). 2 APPEAL DISMISSED.

PER CURIAM

Submitted on April 29, 2026 Opinion Delivered April 30, 2026 Before Golemon, C.J., Wright and Chambers, JJ. 3